

Attorney Docket No.: J3685(C)  
Serial No.: 10/526,850  
Filed: March 2, 2005  
Confirmation No.: 9359

## **Amendment to the Claims**

This listing of claims will replace all prior versions and listings of claims in the application:

### **Listing of Claims**

Claim 1 (Currently Amended) A water based hair treatment composition containing at least 20% water by wt. of the total composition comprising an aqueous dispersion of water insoluble composite particles, the particles comprising:

- i) a clay with a net surface charge,
- ii) a charged organic molecule of the formula:



wherein  $R_1$  and  $R_2$  are independently selected from (a) an aliphatic group of from 8 to 22 carbon atoms or (b) an aromatic, alkoxy, polyoxyalkylene, alkylamido, hydroxyalkyl, aryl or alkylaryl group having up to 22 carbon atoms and  $R_3$  and  $R_4$  are independently selected from aliphatic group of from 1 to 6 carbon atoms and X is a salt-forming anion, and

iii) a water insoluble hair benefit agent which is immiscible with the charged organic molecule, and which is a silicone polymer, a mixture of silicones, or a finely divided solid, wherein the weight ratio of the clay to the water insoluble hair benefit agent is from 0.05:1 to 1:1, and

wherein the charge on the charged organic molecule is opposite to the net surface charge of the clay, the hair treatment composition further comprising one or more suitable hair

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treatment ingredients in a compatible aqueous carrier, and wherein the weight of composite particles in the composition is from 0.05 to 10 percent by weight of the total weight of the composition, and wherein the composite particles are incorporated into the hair treatment composition as an aqueous dispersion without being dried subsequent to their formation.

Claim 2 (Original) A composition as claimed in claim 1, wherein the weight ratio of the charged organic molecule to the clay is from 0.05:1 to 20:1.

Claim 3 (Previously Presented) A composition as claimed in claim 1, wherein the volume based median particle diameter of the composite particles is from 5 to 450 microns.

Claim 4 (Previously Presented) A composition as claimed in claim 1, wherein the clay has a net negative surface charge and the charged organic molecule has a positive charge.

Claim 5 (Original) A composition as claimed in claim 4, wherein the clay is a synthetic hectorite.

Claim 6 (Previously Presented) A composition as claimed in claim 4, wherein the charged organic molecule is the cation of an alkyl trimethyl ammonium chloride, wherein the alkyl chain comprises from 12 to 22 carbon atoms.

Claim 7 (Previously Presented) A composition as claimed in claim 4, wherein the charged organic molecule is a cationic polymer.

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Claim 8 (Cancelled)

Claim 9 (Previously Presented) A composition as claimed in claim 1, wherein the water insoluble hair benefit agent is a silicone polymer.

Claim 10 (Original) A composition as claimed in claim 9, wherein the silicone polymer is a silicone elastomer.

Claim 11 (Previously Presented) A composition as claimed in claim 1, which is a rinse off hair conditioner.

Claim 12 (Previously Presented) A hair treatment composition according to claim 1 wherein the aqueous dispersion of composite particles is prepared by a process comprising the steps of:

- (i) dispersing the water insoluble hair benefit agent and the clay in water to form a dispersed premixture of clay and hair benefit agent,
- (ii) combining the premixture with the charged organic molecule.

Claim 13 (Previously Presented) A hair treatment composition according to claim 1 wherein the aqueous dispersion of composite particles as defined in claim 1 is prepared by a process comprising the steps of:

- (i) dispersing the water insoluble hair benefit agent and the charged organic molecule in water to form a dispersed premixture of charged organic molecule and hair benefit agent,

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- (ii) combining the premixture with the clay.

Claim 14 (Previously Presented) A process for making a hair treatment composition according to claim 1 comprising the steps of:

- (i) preparing an aqueous dispersion of composite particles, and
- (ii) combining the aqueous dispersion of composite particles with the remaining suitable hair treatment ingredients in a compatible aqueous carrier without first drying the aqueous dispersion of composite particles.

Claim 15 (Previously Presented) A method for treating hair and/or scalp, which comprises applying to the hair and/or scalp a composition as claimed in claim 1 followed by rinsing with water.

Claim 16 (Previously Presented) A method for depositing hair benefit agents onto hair and/or scalp, which comprises applying to the hair and/or scalp a composition as claimed in claim 1 followed by rinsing with water.

Claim 17 (Cancelled)

Claim 18 (Previously Presented): A hair treatment composition as described in claim 1 wherein the hair benefit agent comprises a finely divided solid.

Claim 19 (Previously Presented): A hair treatment composition as described in claim 18 wherein the hair benefit agent comprises zinc pyrithione.